

REMARKS

Claim 1 has been objected to for various informalities. To address this objection, the suggested amendments to Claim 1 have been made. Accordingly, withdrawal of the objection to Claim 1 is respectfully requested.

Remaining Claims 1, 4-13, 15 and 17-20 have been rejected as reciting subject matter obvious over certain teachings contained in the Japanese patent in view of further teachings contained in the Elliot patent. It is noted that this rejection is based upon new grounds of rejection. Accordingly, it may be beneficial to review the extent of teachings contained in each of these references pertinent to the subject matter recited in the claims as presented herewith.

The Japanese patent illustrates hook and loop fasteners to secure a rug to the steps or the steps and risers of a staircase. The Elliot patent teaches a snap lock fastener assembly for securing a carpet or rug to a floor (see page 1, lines 43-46). The socket C) is attached to the underside of a rug. A stud includes a head for engaging the socket. A screw penetrably engages the head and secures the head in place on the floor by penetrably threadedly engaging the floor. Obviously, such a screw cannot be used on floors (surfaces) of metal, concrete or of other essentially impenetrable substances. Thus, the Elliot snap fastener assembly is limited essentially to use on wooden floors wherein the stud can be secured and retained in place by a screw threadedly engaging the wooden floor.

The present invention is intended to be used on a staircase having one or more steps and irrespective of whether such steps are constructed of wood, metal, concrete, etc. This is accomplished by securing the rug to the underlying surface by the combination of hook and loop fasteners and adhesively secured to the respective surfaces. No penetration of either the rug nor the supporting surface is required, or even desired.

Aside from the amendments to address the objections raised by the Examiner, paragraphs h) and i) have been amended to specifically recite that the female snap locks and the male snap locks are directly attached to the supporting step/riser without having the attachment extend into the surface of the respective step and riser.

The combination of teachings proposed by the Examiner based upon the Japanese patent and the Elliot patent requires that there be penetration of the supporting surface by the respective element of the snap lock fastener. Thus, the proposed combination results in a structure inimical with and contrary to the present invention. Moreover, the present invention is specifically recited in Claim 1 to distinguish the present invention from the structure resulting from the combination of teachings presented by the Examiner.

Accordingly, Claim 1 recites subject matter not derivable from nor obvious over any teachings contained in either the Japanese patent, the Elliot patent or any combination of teachings therefrom. Allowance of Claim 1 is respectfully requested. With the allowance of Claim 1, the claims depending therefrom are also allowable.

Claim 13 has been specifically amended in paragraphs a) and b) to recite that the structure for accomplishing the steps of attaching and further attaching does not penetrate the underlying or supporting surface. For reasons set forth above, these two steps cannot be carried out by the combination of teachings set forth by the Examiner in support of the obviousness rejection. Thus, the method recited in Claim 13 cannot be carried out by nor is it obvious over any combination of teachings derivable from the Japanese and Elliot patents.

Allowance of Claim 13 is respectfully requested. With the allowance of Claim 13, the claims depending therefrom are also allowable.

New Claim 24 has been presented which essentially parallels Claim 1 with respect to the amendments to overcome the objection raised and specifically recites that the respective female and male snap locks are attached to the supporting surface and do not penetrate the supporting surfaces. Accordingly, for reasons set forth with respect to Claim 1, Claim 24 recites subject matter not derivable from nor obvious over any combination of teachings contained in the Japanese and Elliot patents.

Allowance of Claim 24 is respectfully requested. With the allowance of Claim 24, the claims depending therefrom are also allowable.

In view of the discussion of the teachings contained in the Japanese and Elliot patents, the amendments to the claims to more particularly point out and distinctly claim the invention and

the correlation of the subject matter of the presented claims with the paucity of teachings contained in the applied Japanese and Elliot patents, as well as resolution of the basis for the objection to Claim 1, it is believed that the application is in condition for allowance, which allowance is respectfully requested.

Respectfully submitted,
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